

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: CATHODE RAY TUBE (CRT)	)	MDL No. 1917
ANTITRUST LITIGATION	)	
	)	Case No. C-07-5944-SC
	)	
This Order Relates To:	)	ORDER REFERRING SHARP
	)	CORPORATION'S EX PARTE
	)	APPLICATION TO SPECIAL
	)	<u>MASTER</u>

12-MC-80151-SC

Sharp Corporation ("Sharp") is a putative member of the Direct Purchaser Plaintiff ("DPP") class in the instant case ("MDL"), and also is a plaintiff in substantially similar litigation before the courts of Korea. On June 27, 2012, Sharp filed an ex parte application pursuant to 28 U.S.C. § 1782. That statute provides, in pertinent part, that "[t]he district court of the district in which a person resides or is found may order him to . . . produce a document or other thing for use in a proceeding in a foreign or international tribunal . . . ." 28 U.S.C. § 1782(a). Sharp seeks permission to issue a subpoena against interim lead counsel for the DPP class in the MDL, attorneys R. Alexander Saveri and/or Guido Saveri of the law firm Saveri & Saveri ("Proposed Custodians"). Sharp intends to obtain discovery already taken by the DPPs, which Sharp then could use in the Korean litigation.

The Clerk of the Court classified Sharp's ex parte application as a separate, miscellaneous case and assigned it case number 12-

1 MC-80151 ("Misc. Case"). On July 5, 2012, the undersigned related  
 2 the miscellaneous case to the MDL. MDL Dkt. No. 1250. Sharp  
 3 provided courtesy copies of the ex parte application to the  
 4 Proposed Custodians, and the Proposed Custodians have objected to  
 5 it. MDL Dkt. No. 1251 ("PC Obj'n"). A group of defendants in the  
 6 MDL ("CRT Defendants") also oppose Sharp's ex parte application.<sup>1</sup>  
 7 Misc. Case Dkt. No. 8 ("CRT Defs.' Obj'n"). Sharp filed a reply to  
 8 the Proposed Custodians' Objection, MDL Dkt. No. 1253 ("Reply to  
 9 PC"), and to the CRT Defendants' Objection, Misc. Case Dkt. No. 9  
 10 ("Reply to CRT Defs.").

11 Now that the Miscellaneous Case is related to the MDL, Sharp's  
 12 request falls squarely within the purview of the Special Master.  
 13 See MDL Dkt. No. 302 ¶ 8 (scope of Special Master's duties includes  
 14 "specially-assigned discovery motions and disputes").<sup>2</sup> Thus, the  
 15 Court hereby REFERS Sharp's request to the Special Master. The  
 16 Special Master shall hear Sharp's § 1782 request, as well as any  
 17 objections, and issue a report and recommendation to the Court on a  
 18 schedule determined by the Special Master.

19  
 20 IT IS SO ORDERED.

21  
 22 Dated: July 10, 2012

  
 23 UNITED STATES DISTRICT JUDGE

24  
 25 <sup>1</sup> The list of parties comprising the CRT Defendant group, found at  
 pages 2 through 6 of their Objection, is incorporated herein.

26 <sup>2</sup> Sharp shall make any further filings in the docket for the MDL.  
 27 The Court also directs Sharp's attention to the following Orders in  
 the MDL: (1) Pretrial Order # 1, (2) the Order Appointing the  
 28 Special Master, and (3) the standing Protective Order. MDL Dkt.  
 Nos. 230, 302, 306 (respectively).